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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,766	10/22/2001	Sin Hui Cheah	RCA 89520	2040

7590 09/07/2005
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EXAMINER

SELLERS, DANIEL R

ART UNIT PAPER NUMBER

2644

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,766

Applicant(s)

CHEAH ET AL.

Examiner

Daniel R. Sellers

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaganas and Narasimhalu et al., U.S. Pat. No. 5,412,718 (hereinafter Narasimhalu).

3. Regarding the amended claim 1, see the previous office action mailed April 20, 2005. Kaganas teaches the features of identifying a selected audio data file, identifying a decoder file, transferring the selected audio data file and the associated decoder file, decoding the selected audio data file, and providing the decoded audio data file. Kaganas does not teach the step of decrypting the audio data file using a unique identification associated with the storage device. Narasimhalu teaches a copy protection system that encrypts and decrypts using a unique identification associated with a storage device (Col. 6, lines 22-45 and Fig. 6A). It would have been obvious for one of ordinary skill in the art to combine the teachings of Kaganas and Narasimhalu for the purpose of copy protection. Copying from one storage medium to another results in a mutation of the signature needed to decrypt the information stored thereon (Col. 2, lines 15-33).

4. Regarding claim 2, the further limitation of claim 1, see Kaganas

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... further comprising the step of reading a configuration file that associates each one of a plurality of audio data files with a particular one of a plurality of decoder files, and the identifying the decoder file step comprises identifying the decoder file using the configuration file.

Kaganas teaches the use of a plurality of codecs, and it is inherent that a codec is associated with a file format. Kaganas also teaches the use of an operating system for a plurality of uses, wherein they teach the use of Windows 95® when discussing e-mail and other communication features (Col. 3, lines 28-34). Popular operating systems maintain a list of programs associated with file types, such as ASCII text files. It is inherent that an operating system used for playback on the system of Kaganas maintains a configuration file regarding the association of codecs and audio data files.

5. Regarding claim 3, the further limitation of claim 2, see Kaganas

... wherein the removable data storage device is a solid state data storage device. (Col.7, lines 44-52)

Kaganas teaches the use of solid state removable media.

6. Regarding amended claim 4, see the preceding office action and see the preceding argument with respect to claim to claim 1. The combination of Kaganas and Narasimhalu teach the amended features.

7. Regarding claim 5, the further limitation of claim 4, see the preceding argument with respect to claim 3. Kaganas teaches the use of a solid-state data storage device that is removable.

8. Regarding amended claim 6, see the preceding argument with respect to claims 4 and 5. The combination of Kaganas and Narasimhalu teaches a portable audio playback system with these features.

9. Regarding claim 7, the further limitation of claim 6, see the preceding argument with respect to claim 5. Kaganas teaches a removable solid-state storage device.

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10. Regarding claim 9, see the preceding argument with respect to claim 2.

Kaganas inherently teaches the use of configuration files with codec-file associations.

Response to Arguments

11. Applicant's arguments with respect to claims 1-7 and 9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Karp, U.S. Pat. No. 4,866,769 – Mentioned in the background of Narasimhalu.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel R. Sellers whose telephone number is 571-272-7528. The examiner can normally be reached on Monday to Friday, 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DRS


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